

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                ) 4:12CR3072  
Plaintiff,                 )  
                               ) RESPONSE TO DEFENDANT'S  
vs.                         ) OBJECTIONS TO REPORT AND  
                               ) RECOMMENDATION  
BRANDON TERRELL DAVIS, )  
                               )  
                               )  
Defendant.                 )

Defendant Brandon Davis has filed a Statement of Objections to Magistrate's Report and Recommendation Denying Motion to Suppress (filing 44) and an accompanying brief (filing 45). Counsel has received the Magistrate's Findings and Recommendations (filing 42) as well as defendant's objections and brief. The government believes that the Magistrate's findings are correct and respectfully suggests that this Court shall adopt the Findings and Recommendation.

In Support of this suggestion, the government respectfully requests that this Court consider the government's previously filed brief (filing 39).

UNITED STATES OF AMERICA,  
Plaintiff

DEBORAH R. GILG  
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following: Jerry M. Hug

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: n/a

s/Sara E. Fullerton  
SARA E. FULLERTON #18314  
Assistant United States Attorney